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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:)

Marietta, Michael S.)

Application Ser. No. 10/662,158)

Filed: September 12, 2003)

FIREWORKS ARTILLERY SHELL)

Group Art Unit: 3641

Examiner: Behrend, Harvey E..

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENT

In response to the Office Action dated April 26, 2004, applicant elects to prosecute those claims corresponding to Group I (claims 1-7), without traverse and requests amendment of the application as follows.

Amendments to the Claims are reflected in the listing of claims which begins at page 2 of this Response.

Remarks in connection with this Response begin at page 5 of this paper.

I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Box _____, Washington, D.C. 20231, on this _____ day of _____, 20____.

HOVEY WILLIAMS LLP

by _____



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TRANSMITTAL

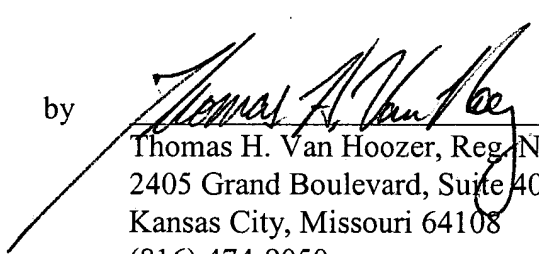
Transmitted herewith is/are: Transmittal (1 pg); Response to Restriction Requirement and Amendment (5 pgs); and return postcard. This/These document(s) is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop Responses No Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 26, 2004.

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Respectfully submitted,

HOVEY WILLIAMS LLP

by


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